

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

400S0184

HOUSE BILL NO. 1017

Introduced by: The Committee on State Affairs at the request of the Department of Corrections

1 FOR AN ACT ENTITLED, An Act to authorize the release of offender photographs and
2 physical description for purposes of victim and community notification.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 24-2-20 be amended to read as follows:

5 24-2-20. Notwithstanding the provisions of § 24-1-26, when requested, regarding the fitness
6 of any inmate, sentenced as an adult, for a modification of sentence, parole, pardon, or early
7 release, the warden shall furnish only to the sentencing court, the secretary of corrections, the
8 Board of Pardons and Parole, or the Governor, respectively, any requested record, fact, or
9 opinion in the warden's possession or knowledge. The Department of Corrections may release
10 the following information on any inmate or parolee sentenced as an adult for purposes of
11 community and victim notification pursuant to subdivisions 23A-28C-1(10) and (12), §§ 23A-
12 28C-5, 24-15-8.1, 24-15-8.2, and 24-15A-22, and to other governmental entities as defined in
13 § 24-2-20.1:

14 (1) Name and any known aliases;

15 (2) Date of birth or age;



- 1 (3) Race and gender;
- 2 (4) Location of incarceration;
- 3 (5) Community of residence;
- 4 (6) Custody status and conditions of supervision;
- 5 (7) Any Department of Corrections sentence identification number;
- 6 (8) Any crime of conviction;
- 7 (9) Number of felony convictions;
- 8 (10) Sentence, time suspended, jail time credit, and revoked good-time credits;
- 9 (11) Offense, sentence, admission, release, and parole eligibility dates;
- 10 (12) Dates of pending hearings and final determinations of parole, suspended sentence,
11 pardon, and commutation hearings;
- 12 (13) Status as an inmate, parolee, or person who has completed a prison term;
- 13 (14) County of conviction;
- 14 (15) Plea;
- 15 (16) Citizenship status; ~~and~~
- 16 (17) Birth town, state, and country; and
- 17 (18) Identification photograph and physical description.
- 18 The department is not civilly liable for good faith conduct under this section.